

ASSEMBLY BILL

No. 647

Introduced by Assembly Member Koretz
(Coauthors: Assembly Members Haynes, Karnette, and
Mountjoy)
(Coauthors: Senators Battin, Ducheny, and Margett)

February 17, 2005

An act to amend Section 2118 of the Fish and Game Code, and to amend Section 121790 of the Health and Safety Code, relating to wild animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 647, as introduced, Koretz. Wild animals: domestic ferrets.

Existing law prohibits the importation into this state of wild animals specified on a list published by the State Department of Health Services without a permit issued by that department, except that existing law does not authorize the importation, transportation, or possession of live animals enumerated in specified provisions of the Fish and Game Code or regulations of the Fish and Game Commission adopted pursuant thereto. Those existing provisions of the Fish and Game Code prohibit the importation, transportation, possession, or release into this state of certain wild animals without a permit issued by the Department of Fish and Game.

This bill would allow domestic ferrets to be owned as pets without a permit if the owner of a ferret maintains, and can produce, documentation showing that the ferret has been vaccinated against rabies with a vaccine approved for use in ferrets by the United States Department of Agriculture and administered in accordance with the recommendations of the vaccine manufacturer and if the ferret is spayed or neutered, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2118 of the Fish and Game Code is
2 amended to read:
3 2118. It is unlawful to import, transport, possess, or release
4 alive into this state, except under a revocable, nontransferable
5 permit as provided in this chapter and the regulations pertaining
6 thereto, any wild animal of the following species:
7
8 (a) Class Aves: (birds)
9 Family Cuculidae (cuckoos)
10 All Species.
11 Family Alaudidae (larks)
12 Skylark, *Alauda arvensis*
13 Family Corvidae (crows, jays, magpies)
14 All species.
15 Family Turdidae (thrushes)
16 European blackbird, *Turdus merula*
17 Missel (or mistle), thrush, *Turdus viscivorus*
18 Family Sturnidae (starlings and mynas or mynahs)
19 All species of the family, except hill myna (or
20 hill mynah),
21 *Gracula religiosa* (sometimes referred to as
22 *Eulabes religiosa*)
23 Family Ploceidae (weavers)
24 The following species:
25 Spanish sparrow, *Passer hispaniolensis*
26 Italian sparrow, *Passer italiae*
27 European tree sparrow, *Passer montanus*
28 Cape sparrow, *Passer capensis*
29 Madagascar weaver, *Foudia madagascariensis*
30 Baya weaver, *Ploceus baya*
31 Hawaiian rice bird, *Munia nitoria*
32 Red-billed quelea, *Quelea quelea*
33 Red-headed quelea, *Quelea erythrops*
34 Family Fringillidae (sparrows, finches, buntings)
35 Yellowhammer, *Emberiza citrinella*

- 1 (b) Class Mammalia (mammals)
- 2 Order Primates
- 3 All species except those in family Hominidae
- 4 Order Edentata (sloths, anteaters, armadillos, etc.)
- 5 All species.
- 6 Order Marsupialia (marsupials or pouched mammals)
- 7 All species.
- 8 Order Insectivora (shrews, moles, hedgehogs, etc.)
- 9 All species.
- 10 Order Dermoptera (gliding lemurs)
- 11 All species.
- 12 Order Chiroptera (bats)
- 13 All species.
- 14 Order Monotremata (spiny anteaters, platypuses)
- 15 All species.
- 16 Order Pholidota (pangolins, scaly anteaters)
- 17 All species.
- 18 Order Lagomorpha (pikas, rabbits, hares)
- 19 All species, except domesticated races of rabbits.
- 20 Order Rodentia (rodents)
- 21 All species, except domesticated golden
- 22 hamsters, also known as Syrian hamster,
- 23 Mesocricetus auratus; domesticated races of
- 24 rats or mice (white or albino; trained,
- 25 dancing or spinning, laboratory-reared);
- 26 and domestic strains of guinea pig (Cavia
- 27 porcellus).
- 28 Order Carnivora (carnivores)
- 29 All species, except domestic dogs (Canis
- 30 ~~familiaris~~ and ~~familiaris~~), domestic cats (Felis catus), and
- 31 domestic ferrets (Mustela furo) to be owned as pets, if the owner of
- 32 a ferret maintains, and can produce, documentation showing that
- 33 the ferret has been vaccinated against rabies with a vaccine
- 34 approved for use in ferrets by the United States Department of
- 35 Agriculture and administered in accordance with the
- 36 recommendations of the vaccine manufacturer.
- 37 Order Tubulidentata (aardvarks)
- 38 All species.
- 39 Order Proboscidea (elephants)
- 40 All species.

- 1 Order Hyracoidea (hyraxes)
- 2 All species.
- 3 Order Sirenia (dugongs, manatees)
- 4 All species.
- 5 Order Perissodactyla (horses, zebras, tapirs,
- 6 rhinoceroses, etc.)
- 7 All species except those of the family Equidae.
- 8 Order Artiodactyla (swine, peccaries, camels,
- 9 deer, elk, except elk (genus *Cervus*) which are
- 10 subject to Section 2118.2, moose, antelopes,
- 11 cattle, goats, sheep, etc.)
- 12 All species except: domestic swine of the family
- 13 Suidae; American bison, and domestic cattle,
- 14 sheep and goats of the family Bovidae; races
- 15 of big-horned sheep (*Ovis canadensis*) now
- 16 or formerly indigenous to this state.
- 17 ~~Mammals of the orders Primates, Orders Primate~~, Edentata,
- 18 Dermoptera, Monotremata, Pholidota, Tubulidentata,
- 19 Proboscidea, Perissodactyla, Hyracoidea, Sirenia and
- 20 Carnivora, *that* are restricted for the welfare of the animals,
- 21 except animals of the families Viverridae and Mustelidae
- 22 in the order Carnivora *that* are restricted because ~~such~~
- 23 ~~animals~~ *those animals, not including domestic ferrets to be owned*
- 24 *as pets*, are undesirable and a menace to native wildlife,
- 25 the agricultural interests of the state, or to the public
- 26 health or safety.
- 27 (c) Class amphibia (frogs, toads, salamanders)
- 28 Family Bufonidae (toads)
- 29 Giant toad or marine toad, *Bufo marinus*
- 30 (d) Class Monorhina (lampreys)
- 31 All species.
- 32 (e) Class Osteichthyes (bony fishes)
- 33 Family Serranidae (bass)
- 34 White perch, Morone or *Roccus americana*
- 35 Family Clupeidae (herring)
- 36 Gizzard shad, *Dorosoma cepedianum*
- 37 Family Sciaenidae (croakers)
- 38 Freshwater sheepshead, *Aplodinotus grunniens*
- 39 Family Characidae (characins)
- 40 Banded tetra, *Astyanax fasciatus*

- 1 All species of piranhas
- 2 Family Lepisosteidae (gars)
- 3 All species.
- 4 Family Amiidae (bowfins)
- 5 All species.
- 6 (f) Class Reptilia (snakes, lizards, turtles, alligators)
- 7 Family Crocodylidae
- 8 All species.
- 9 (g) Class Crustacea (crustaceans)
- 10 Genus Cambarus (crayfishes)
- 11 All species.
- 12 Genus Astacus (crayfishes)
- 13 All species.
- 14 Genus Astacopsis (crayfishes)
- 15 All species.
- 16 (h) Class Gastropoda (slugs, snails, clams)
- 17 All species of slugs.
- 18 All species of land snails.
- 19 (i) Other classes, orders, families, genera, and species
- 20 of wild animals which may be designated by the
- 21 commission in cooperation with the Department of Food
- 22 and Agriculture, (1) when the class, order, family, genus,
- 23 or species is proven to be undesirable and a menace to
- 24 native wildlife or the agricultural interests of the state, or
- 25 (2) to provide for the welfare of wild animals.
- 26 (j) Except as expressly authorized in this code, any live
- 27 nonindigenous Atlantic salmon or the roe thereof into the
- 28 Smith River watershed.
- 29 (k) Classes, families, genera, and species in addition to
- 30 those listed in this section may be added to or deleted
- 31 from the above lists from time to time by commission
- 32 regulations in cooperation with the Department of Food
- 33 and Agriculture.

34
35 SEC. 2. Section 121790 of the Health and Safety Code is
36 amended to read:

37 121790. (a) The department shall publish from time to time a
38 list of animals that may not be imported into this state except by
39 permit from the department. Unless a permit is issued pursuant to

1 this chapter, it is unlawful to import into this state any wild
2 animal for which a permit is required by the department.

3 *(b) A permit shall not be required to import into this state*
4 *domestic ferrets to be owned as pets under the following*
5 *conditions:*

6 *(1) The owner of the ferret maintains, and can produce,*
7 *documentation showing that the ferret has been vaccinated*
8 *against rabies with a vaccine approved for use in ferrets by the*
9 *United States Department of Agriculture and administered in*
10 *accordance with the recommendations of the vaccine*
11 *manufacturer.*

12 *(2) All ferrets over the age of six months shall be spayed or*
13 *neutered, unless the owner of the ferret holds a breeder's license*
14 *issued by the United States Department of Agriculture.*

15 *(3) Any ferret that is sold or offered for sale in a retail store*
16 *shall be spayed or neutered before the sale.*